

Article - General Provisions

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§5–833.

(a) In this part the following words have the meanings indicated.

(b) (1) “Agent” means an individual or a business entity hired or retained by an applicant for any purpose relating to the land that is the subject of an application if the individual or business entity is:

- (i) an accountant;
- (ii) an attorney;
- (iii) an architect;
- (iv) an engineer;
- (v) a land use consultant;
- (vi) an economic consultant;
- (vii) a real estate agent;
- (viii) a real estate broker;
- (ix) a traffic consultant; or
- (x) a traffic engineer.

(2) “Agent” includes:

(i) as to a corporation described in paragraph (1) of this subsection, its officers, directors, and majority stockholders who are engaged in substantive activities pertaining specifically to land development in Prince George’s County as a regular part of their ongoing business activities;

(ii) as to a partnership or limited partnership described in paragraph (1) of this subsection, its general partners and limited partners who are engaged in substantive activities pertaining specifically to land development in Prince George’s County as a regular part of their ongoing business activities; and

(iii) as to a joint venture described in paragraph (1) of this subsection, the principal members of the joint venture who are engaged in substantive activities pertaining specifically to land development in Prince George's County as a regular part of their ongoing business activities.

(c) (1) "Applicant" means an individual or a business entity that is:

(i) a title owner or contract purchaser of land that is the subject of an application;

(ii) a trustee that has an interest in land that is the subject of an application, excluding a trustee described in a mortgage or deed of trust; or

(iii) a holder of at least a 5% interest in a business entity that has an interest in land that is the subject of an application but only if:

1. the holder of at least a 5% interest has substantive involvement in directing the affairs of the business entity with an interest in the land that is the subject of an application with specific regard to the disposition of that land; or

2. the holder of at least a 5% interest is engaged in substantive activities specifically pertaining to land development in Prince George's County as a regular part of the business entity's ongoing business activities.

(2) "Applicant" includes:

(i) any business entity in which a person described in paragraph (1) of this subsection holds at least a 5% interest; and

(ii) the directors and officers of a corporation that actually holds title to the land, or is a contract purchaser of the land, that is the subject of an application.

(3) "Applicant" does not include:

(i) a financial institution that has loaned money or extended financing for the acquisition, development, or construction of improvements on any land that is the subject of an application;

(ii) a municipal corporation or public corporation;

(iii) a public authority;

(iv) a public utility regulated by the Public Service Commission in any instance where the utility is engaged in or conducting regulated activities that have been approved by the Public Service Commission or are allowed under Division I of the Public Utilities Article; or

(v) the directors and officers of any entity that does not hold title to the land, or is not the contract purchaser of the land, that is the subject of an application.

(d) “Application” means:

(1) an application for:

(i) a zoning map amendment;

(ii) a special exception;

(iii) a departure from design standards;

(iv) a revision to a special exception site plan;

(v) an expansion of a legal nonconforming use;

(vi) a revision to a legal nonconforming use site plan; or

(vii) a request for a variance from the zoning ordinance;

(2) an application to approve:

(i) a comprehensive design plan;

(ii) a conceptual site plan; or

(iii) a specific design plan; or

(3) participation in adopting and approving an area master plan or sectional map amendment by appearance at a public hearing, filing a statement in the official record, or other similar communication to a member of the County Council or the Planning Board, where the intent is to intensify the zoning category applicable to the land of the applicant.

(e) “Business entity” means:

(1) a corporation;

- (2) a general partnership;
- (3) a joint venture;
- (4) a limited liability company;
- (5) a limited partnership; or
- (6) a sole proprietorship.

(f) “Candidate” means a candidate for election to the County Council who becomes a member.

(g) “Continuing political committee” means a committee specifically created to promote the candidacy of a member running for any elective office.

(h) “Contributor” means a person or business entity that makes a payment.

(i) “County Council” means the County Council of Prince George’s County.

(j) “County Executive” means the County Executive of Prince George’s County.

(k) “District Council” means the County Council of Prince George’s County sitting as the District Council for the Prince George’s County portion of the Maryland–Washington Regional District.

(l) “Member” includes any candidate or person duly elected or appointed who takes the oath of office as a member of the County Council for Prince George’s County and who thereby serves on the District Council.

(m) “Payment” means a payment or contribution of money or property or the incurring of a liability or promise of anything of value to a treasurer of a candidate, a candidate’s continuing political committee, or a slate to which the candidate belongs.

(n) (1) “Pendency of the application” means the time between the acceptance of a filing of an application by the appropriate agency and expiration of the time under which an appeal on the application may be taken.

(2) “Pendency of the application” does not include a period during which:

- (i) action on the application is under judicial review; or
 - (ii) judicial review may be requested.
- (o) “Political action committee” means a political committee that is not:
 - (1) a political party;
 - (2) a central committee;
 - (3) a slate; or
 - (4) a political committee organized and operated by, and solely on behalf of, an individual running for any elective office or a slate.
- (p) “Slate” means a group, combination, or organization of candidates created under the Election Law Article.
- (q)
 - (1) “Treasurer” has the meaning stated in § 1–101 of the Election Law Article.
 - (2) “Treasurer” includes a subtreasurer.

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